

# Notice of Allowability

## Application No.

10/679,120

## Examiner

Lansana Nyalley

## Applicant(s)

EDWARDS ET AL.

## Art Unit

1621

### -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 08/23/2004.
2. ☐ The allowed claim(s) is/are 30, 31, 32, 33, 34, 35, 36, 37, 47, 48, 49, 50, 51, 57, 58, 59, 60, 61 and 62(now renumbered as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 respectively).
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

### THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### Reasons for allowance

The following is an examiner's statement of reasons for allowance:

Applicants claim a branch alkanol alkoxylate composition comprising an alkanol alkoxylate

represented by the formula: 
$$\text{CH}_3 - \underset{\text{x}}{\overset{\text{R}_1}{\text{CH}}} - \underset{\text{y}}{\overset{\text{R}_2}{\text{CH}}} - \text{O} - \text{CH}_2 - \text{CH}_2 - \text{CH}_2 - \text{OH}$$
 wherein R1 represents hydrogen or a hydrocarbyl group having from 1 to 3 carbon atoms, R2 represents a hydrocarbyl group having from 1 to 7 carbon atoms, x is a number ranging from 3 to 13, A is an alkylene group having a carbon number in the range of 2 to 4, y is a number ranging from 1 to 9, wherein the total number of carbon atoms in the alkanol alkoxylate, excluding A, ranges from 9 to 24.

The closest prior art of record, Chem. abs 816 (CA:96:34816 abs JP 56115745 9/1981) and Chem. abs 141 (CA:131:89141 abs of WO 9932563 7/1999) exemplifies a compound of the formula in claim 30 which has x as 0, R2 as methyl, A as propyl and y as 1. The cited prior art of record do not exemplify a compound of formula 30 where x is 3-13, R2 is a hydrocarbyl group, A is an alkenyl group and y ranges above one, 1 to 9, as recited by the applicants in the presently claimed application. Thus, the branched alkanol alkoxylate compound of the formula given above comprising a composition as recited in the presently claimed application is not taught or suggested in the prior art of record. Therefore, the claims are allowed.

Claims 30, 31, 32, 33, 34, 35, 36, 37, 47, 48, 49, 50, 51, 57, 58, 59, 60, 61 and 62 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lansana Nyalley whose telephone number is 571,272,0697. The examiner can normally be reached on 7:45 to 4:45.

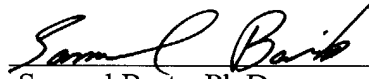
Application/Control Number: 10/679,120  
Art Unit: 1621

Page 3

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571 272 0646. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lansana Nyalley, Ph.D.  
10/04/04

  
\_\_\_\_\_  
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Primary Examiner